

To:	Warden Halliday and Members of Grey County Council
Committee Date:	September 13, 2018
Subject / Report No:	PDR-CW-30-18
Title:	Villages at Peaks Bay (formerly Delphi Court 42-CDM-2013-01 and Neighbourhoods at Delphi Point - 42-CDM-2007-15)
Prepared by:	Randy Scherzer
Reviewed by:	Kim Wingrove
Lower Tier(s) Affected:	Town of The Blue Mountains
Status:	Recommendation adopted by Committee of the Whole as presented per Resolution CW221-18; Endorsed by County Council on September 27, 2018 per Resolution CC90-18.

Recommendation

1. That Report PDR-CW-30-18 be received; and
2. That in consideration of the request to combine two draft plans of condominium known as 42-CDM-2013-01 (Delphi Court) and 42-CDM-2007-15 (Neighbourhoods at Delphi Point) on lands described as Part of Lot 26, Concession 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, geographic Township of Collingwood, in the Town of The Blue Mountains, the Grey County Committee of the Whole approves this redline revision by adding the draft approved units from draft approved plan of condominium 42-CDM-2013-01 to 42-CDM-2007-15 resulting in a revised draft plan of condominium consisting of a total of 149 vacant land condominium units (57 single detached units, 2 semi-detached units, and 90 townhouse units), subject to the conditions set out in the Notice of Decision.

Executive Summary

A request has been received by the owner of properties that contain two draft plans of condominium to combine the two draft plans into one. There are no other revisions being requested to the draft plans. The draft plans of condominium are known as 42-CDM-2013-01 (Delphi Court) and 42-CDM-2007-15 (Neighbourhoods at Delphi Point) on lands described as Part of Lot 26, Concession 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, geographic Township of Collingwood, in the Town of The Blue Mountains. Comments have been received from the Town and other agencies and there are no objections to combining the two draft plans. It is recommended that the redline revision be approved subject to the conditions set out in the attached Notice of Decision which would add the draft approved units from Delphi Court to the Neighbourhoods at Delphi Point plan

resulting in a total of 149 vacant land condominium units (57 single detached units, 2 semi-detached units, and 90 townhouse units). The combined plans would be referred to as Villages at Peaks Bay (42-CDM-2007-15 as revised).

Background and Discussion

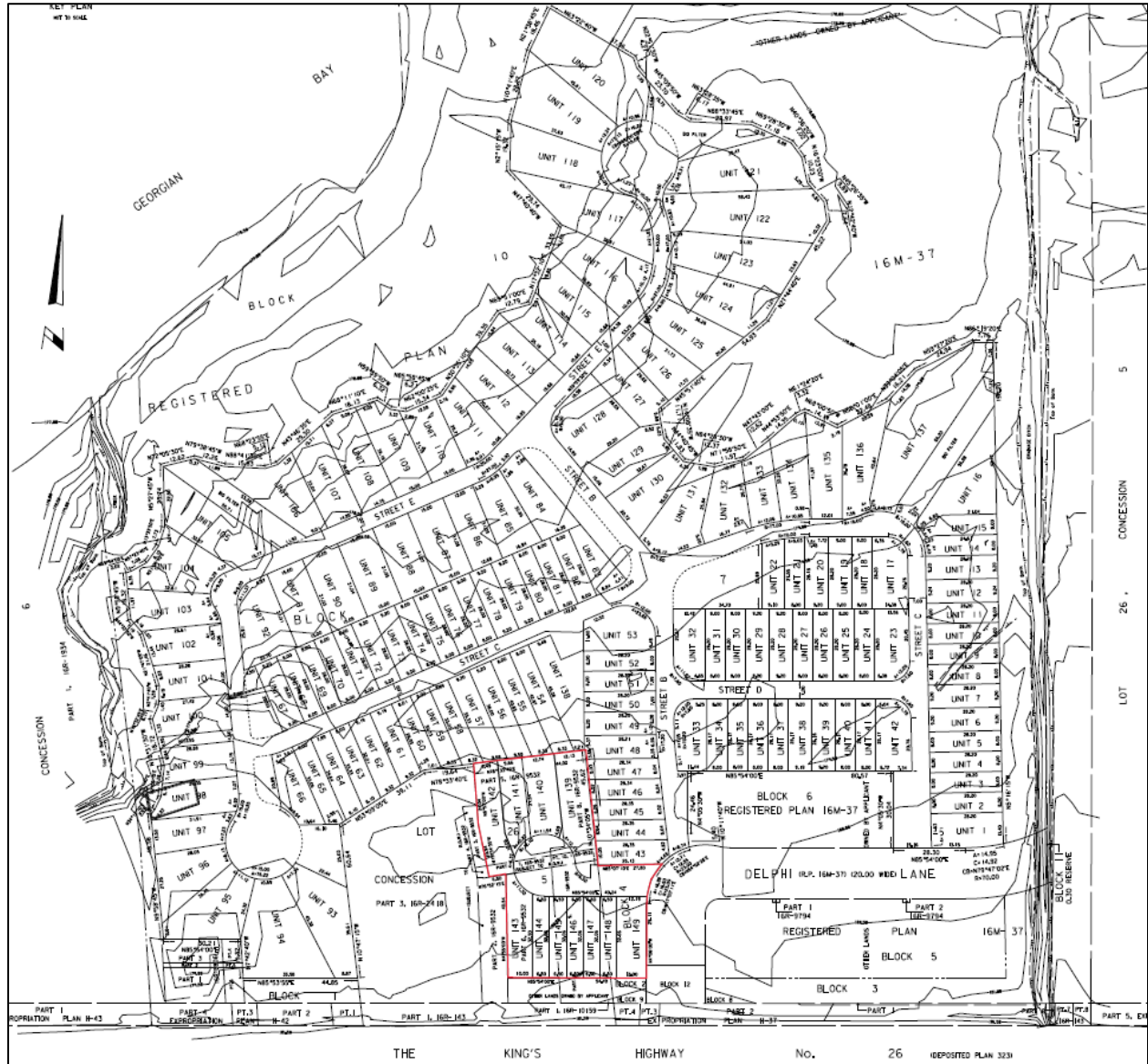
A request has been received from the owner of properties that contain two draft plan of condominiums to combine them into one draft plan of condominium. No other changes to the two draft plans are being requested. The two draft plans of condominium are known as Delphi Court (42-CDM-2013-01) and Neighbourhoods at Delphi Point (42-CDM-2007-15). The Delphi Court Condominium was draft approved by the County on October 15, 2013 which contains a total of 11 vacant land condominium lots, two of which contain two single detached units, two lots will contain semi-detached units, and seven lots will contain townhouse units on approximately 0.44 hectares of land. The Neighbourhoods at Delphi Point (42-CDM-2007-15) was draft approved by the County in March 2008 with the latest redline revisions to this plan being draft approved on November 13, 2014. The current draft approved plan for Neighbourhoods at Delphi Point consists of a total of 138 vacant land condominium units (55 single detached units and 83 townhouse units). The combined draft plans would be referred to as Villages at Peaks Bay and would consist of a total of 149 vacant land condominium units (57 single detached units, 2 semi-detached units, and 90 townhouse units) – see Figure 1 below.

The lands are described as Part of Lot 26, Concession 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, geographic Township of Collingwood, in the Town of The Blue Mountains. The subject lands are located north of Highway 26. The Georgian Peaks Ski Club is south of the subject lands across Highway 26 (see Figure 2 below).

The Agent for the Applicant notes that the following reasons for requesting that the two draft approved plans be merged:

- both plans are under the same ownership
- both plans have been marketed under the same project name
- both plans are subject to the same pre-servicing agreement with the Town
- both plans are being serviced under one contract,
- both will be subject to the same subdivision development agreement, and
- the developer would also prefer that the developments be implemented under one condominium plan and one condominium corporation.

Figure 1 – Proposed Revised Draft Plan



Comments Received

The following are comments received regarding the proposed combining of the two draft plans:

Town of The Blue Mountains – no concerns.

Grey Sauble Conservation Authority – no objections.

Niagara Escarpment Commission – no objections.

Figure 2 – Subject Lands



Analysis of Planning Issues

Planning decisions in Ontario must have regard for matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2014, and conform to the goals and objectives of any official plans governing the lands. In this case the Niagara Escarpment Plan, the County of Grey Official Plan and the Town of The Blue Mountains Official Plan are all applicable to the subject lands.

Planning Analysis was previously provided as part of the reports for the original draft plan or revisions to the draft approved plans. Below are links to the latest staff reports regarding these two draft approved plans:

[Addendum to PDR-PCD-16-13 Draft Plan of Condominium 42-CDM-2013-01 and Proposed Redline Revision to 42-CDM-2007-15](#)

[PDR-PCD-42-14 Neighbourhoods at Delphi Point - proposed redline revision](#)

Based on agency review and comments received regarding the proposed combining of the two draft plans of condominium, it is recommended that the draft plans be combined by revising draft plan of condominium 42-CDM-2007-15 by adding the draft approved units from Delphi Court 42-CDM-2013-01 to 42-CDM-2007-15, subject to the combined conditions set out in the attached Notice of Decision.

Legal and Legislated Requirements

The redline revision has been processed in accordance with the Planning Act.

Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed redline revision. The County has collected the requisite fee.

Relevant Consultation

- Internal (Planning)
- External (Town of The Blue Mountains, Grey Sauble Conservation Authority, Niagara Escarpment Commission and other prescribed agencies)

Appendices and Attachments

Notice of Decision including Revised Draft Plan Conditions

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision under Subsection 51(45) of the Planning Act

Revised Draft Plan Approval, is hereby given by the County of Grey for the application regarding the above noted lands. A copy of the Decision is attached.

PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE

All written and oral submissions received on the application were considered; the effect of which helped to make an informed recommendation and decision.

WHEN AND HOW TO FILE A NOTICE OF APPEAL

Notice to appeal the decision to the Local Planning Appeal Tribunal must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above.

The notice of appeal should be sent to the attention of the Director of Planning and Development of the County, at the address shown below and it must,

- (1) set out the reasons for the appeal,
- (2) be accompanied by the fee required by the Tribunal as prescribed under the Local Planning Appeal Tribunal Act, and
- (3) Include the completed appeal forms from the Tribunal's website.

WHO CAN FILE A NOTICE OF APPEAL

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No persons or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions of the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

The following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Tribunal by filing a notice of appeal with the approval authority: the applicant; any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority; the Minister; or the municipality in which the subject land is located.

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of subdivision if you have made a written request to be notified of changes to the conditions.

GETTING ADDITIONAL INFORMATION

Additional information about the application is available for public inspection during regular office hours in the Planning & Development Office at the address noted below or by calling 519-376-2205 or 1-800-567-GREY.

ADDRESS FOR NOTICE OF APPEAL

County of Grey

595-9th Avenue East

OWEN SOUND, Ontario N4K 3E3

Attention: Mr. Randy Scherzer, MCIP RPP

Director of Planning & Development

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

Plan of Condominium 42-CDM-2007-15 is hereby revised by adding in the draft approved condominium units from 42-CDM-2013-01 (Delphi Court). The County's conditions of final approval for registration of this revised draft plan of condominium are as follows:

1. That the draft approval given to 42-CDM-2013-01 on October 15, 2013 be rescinded and replaced with the following conditions of draft approval. In addition, the draft approval given on March 15, 2008 and later revised on May 19, 2009, October 15, 2013 and November 13, 2014 for draft plan of condominium 42-CDM-2007-15 are also rescinded and replaced with the following conditions of draft approval.
2. That this approval applies to the revised draft Plan of Condominium File No. 42-CDM-2007-15 which adds the draft approved units from draft Plan of Condominium 42-CDM-2013-01 as shown on the revised plan prepared by Zubek, Emo, Patten & Thomsen Limited dated June 2018 showing a total of one hundred and forty nine (149) residential units consisting of fifty seven (57) single detached units, two (2) semi-detached units and ninety (90) townhouse units, five road allowances shown as Streets "B", "C", "D" and "E" and one roadway block to provide access to the units within Delphi Court, on lands described as Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic Township of Collingwood) in the Town of The Blue Mountains, County of Grey.
3. That this condominium plan be approved as a Vacant Land Condominium Corporation in accordance with the provisions of the Condominium Act, S.O. 1998.
4. That the common element condominium roads be named to the satisfaction of the Town of The Blue Mountains.
5. In addition to the Conditions of this decision, that Conditions 2, 3, 7, 8 and 11 of draft plan approval listed within Attachment 2, Schedule E-5 affixed to [Ontario Municipal Board Decision/Order 2282 issued August 15, 2007](#) be met prior to final approval of this draft plan. A copy of the OMB Decision/Order has been linked above/attached to this Decision.
6. That the site be fully serviced with municipal water and sewers to the satisfaction of the Town. Development shall be subject to suitable arrangements for the extension of municipal water and sewer services and the availability of adequate water and sewage allocations in accordance with the servicing provisions of the Official Plan and Minutes of Settlement.
7. That the applicant enters into a development agreement and/or condominium agreement with the Town of The Blue Mountains. The agreement shall satisfy all financial, legal and engineering matters, including landscaping and the installation of municipal services, and other requirements of the Town of The Blue Mountains and the County of Grey including the payment of all applicable Town and County development charges in accordance with their applicable

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

Development Charges By-law.

8. That prior to final approval, a copy of the fully executed Agreement referenced in Condition 7 between the applicant and the Town of The Blue Mountains shall be provided to the County of Grey.
9. The applicant shall support an appropriate amendment to the Zoning By-law to permit the development of these lands in accordance with the Draft Plan of Condominium including the use of the holding 'h' provision under the Planning Act.
10. Prior to registration, the Zoning By-law implementing the subject plan shall be approved under Section 34 and 36 of the Planning Act.

Servicing, Grading and Road Requirements

11. Prior to the initiation of any site grading or servicing and prior to the registration of the plan, submit for the approval of the Town Engineer, Grey Sauble Conservation Authority, and the Ministry of Transportation the following:
 - a. A detailed engineering and drainage report which describes the stormwater drainage system for the proposed development on the subject lands. The report should include:
 - i. Plans illustrating how the drainage system will tie into the drainage of surrounding properties;
 - ii. The stormwater management techniques which may be required to control minor or major flows;
 - iii. How external flows will be accommodated and the design capacity of the receiving system;
 - iv. Location and description of all outlets and other facilities which may require permits; and,
 - v. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction.

It is recommended that the developer or the developer's consultant contact the Town Engineering and Public Works Department and the Grey Sauble Conservation Authority prior to preparing the above report to clarify the specific requirements of this development.

- b. Overall grading plans for the subject lands

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

- c. Agree in the subdivision agreement, in wording acceptable to the Town of The Blue Mountains and the Grey Sauble Conservation Authority:
 - i. To carry out, or cause to be carried out, all the works referred to in condition 11(a) above;
 - ii. To obtain the necessary permits from the Grey Sauble Conservation Authority; and,
 - iii. Prior to the initiation of any grading or construction on the site, to erect any silt fence as referred to in condition 11(a)(v) above.
12. Prior to the registration of the Plan, arrangements shall be made to the satisfaction of the Town for any relocation of utilities required by the development of the subject lands, to be undertaken at the developers' expense.
13. Stormwater overland flow routes shall be kept within roads or approved walkways only.
14. Prior to the initiation of any site grading or servicing and prior to registration of this plan, submit for the approval of the Town Engineer a detailed soils investigation of the site prepared by a qualified geotechnical engineer. A copy of this report shall also be submitted to the Town's Chief Building Official.
15. Prior to the initiation of any site grading or servicing and prior to the registration of this plan, submit to the Town:
 - a. A Phase 1 Environmental Site Assessment;
 - b. A Phase 2 Environmental Site Assessment if required as a result of the Phase 1 Environmental Site Assessment;
 - c. A decommissioning report if contaminated material has been identified and is removed, or alternatively, a copy of the risk assessment together with a copy of the written acknowledgement of its acceptance by the Ministry of the Environment; and,
 - d. A copy of a Record of Site Condition and confirmation of the filing of the Record of Site Condition in the Environmental Site Registry.
16. Prior to the initiation of any site grading or servicing, the applicant shall provide a report identifying all existing water wells and private sewage disposal systems on the lands. The applicant shall provide verification to the satisfaction of the Town that all wells and septic systems identified have been decommissioned in accordance with all applicable laws and regulations.
17. The horizontal and vertical alignments of all roads and underground services including their intersection geometrics shall be designed to the Town of The Blue Mountains Engineering

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

Standards. In this regard, minor revisions to the road pattern and intersection alignments may be required.

18. Prior to the approval of any engineering drawings, arrangements shall be made to the satisfaction of the Town for a suitable construction traffic route.

Park and Open Space Requirements

19. A 10.0 metre block adjacent to Highway 26 save and except for lands required for sight triangle purposes for the Ministry of Transportation shall be conveyed to the Town for open space and trail purposes at no cost to the Town. In this regard, the applicant shall also agree that this 10.0 metre open space block shall not be credited as parkland for the purpose of determining the parkland requirements for the subject plan.
20. The noise wall is to be located off the 10.0 metre open space block and onto private lands.
21. The applicant shall pay cash-in-lieu for parkland required in accordance with the Planning Act.

Landscape, Fencing and Streetscape Requirements

22. Prior to the registration of the Plan, the applicant shall complete a Landscape Analysis and Landscape Plan to the satisfaction of the Town and the Niagara Escarpment Commission and that this plan be incorporated in the Development Agreement. The applicant shall be required to save, replant and/or remove trees and vegetation as required by the above noted Plan.
23. A planting enhancement be provided within the 10.0 metre open space block to adequately screen the proposed noise wall from public view.

Miscellaneous Requirements

24. The applicant shall grant all necessary easements for drainage, utility and servicing purposes, as may be required, to the appropriate agency or public authority.
25. The applicant shall obtain any necessary permits from the Ministry of Transportation prior to the initiation of any site grading or servicing.
26. The applicant shall make satisfactory arrangements with Canada Post and the Town's Engineering and Public Works department, for the installation of Canada Post Community Mailboxes and shall indicate these locations on the appropriate servicing plans. The applicant shall further provide the following for the Community Mailboxes:
 - a. An appropriately sized sidewalk section (concrete pad), per Canada Post standards, to place the mailbox on, plus any required walkway access and/or curb depressions for wheelchair access; and,

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

- b. A suitable temporary Community Mailbox location which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox Site locations to enable Canada Post to provide mail service to new residences as soon as homes are occupied.
27. That prior to final approval being given that confirmation is received by the County that public road access to the subject property is available.
28. Prior to the signing of the final plan by the County of Grey, the Town is to be advised that all Draft Plan conditions have been carried out to the Town's satisfaction.
29. That prior to final approval the County is advised in writing from the Grey Sauble Conservation Authority how Condition 11 has been satisfied.
30. That prior to final approval the County of Grey is advised in writing from the Ministry of Transportation how Conditions 11, 19 and 25 have been satisfied.
31. That prior to final approval being given, that the County is advised in writing by Canada Post Corporation how Condition 26 has been satisfied.
32. The prior to final approval the County of Grey is advised in writing from the Niagara Escarpment Commission how Condition 22 has been satisfied.
33. That prior to final approval the County of Grey is advised in writing from the Town of The Blue Mountains how Conditions 2 to 28 have been satisfied.
34. If final approval is not given to this plan within the original three years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft approval, a written explanation together with the applicable application fee and a resolution from the local municipality must be received by the County of Grey Director of Planning, prior to the lapsing date. Please note that an updated review of the Plan and revisions to the conditions of approval may be necessary if an extension is to be granted.
35. That the owner, submit to the County of Grey with a computer disk containing a digitised copy of the Final Plan in a format acceptable to the County of Grey.

NOTES TO DRAFT APPROVAL

1. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Grey, quoting the County file number 42-CDM-2007-15.

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.

3. Clearances are required from the following:

Town of The Blue Mountains
32 Mill Street
Thornbury Ontario, N0H 2P0

Grey Sauble Conservation Authority
237897 Inglis Falls Road, RR#4
Owen Sound, Ontario, N4K 5N6

Niagara Escarpment Commission
99 King Street East
Thornbury Ontario, N0H 2P0

Ministry of Transportation
Engineering Office
659 Exeter Road
London, Ontario, N6E 1L3

Canada Post Corporation
Delivery Planning Officer
955 Highbury Avenue
London Ontario, N5Y 1A3

4. It is suggested you make yourself aware of the following subsections of the Land Titles Act:
 - a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
 - b) subsection 144(2) allows certain exceptions.

The subdivision plan for Registration must be in conformity with the applicable Ontario Regulation under The Registry Act.

5. It is suggested that the municipality register the subdivision agreement as provided by subsection 51(26) of the Planning Act against the land to which it applies, as notice to prospective purchasers.

**Applicant: Villages at Peaks Bay (formerly known as Delphi Court
42-CDM-2013-01 and Neighbourhoods at Delphi Point)**

File No.: 42-CDM-2007-15 Revised

Municipality: Town of The Blue Mountains

**Location: Part of Lot 26, Concessions 5 and 6, Parts 5 to 10, Plan 16R-9532 and Block 7, RP 16M-37, (geographic
Township of Collingwood), Town of The Blue Mountains**

Date of Decision:

Date of Notice:

Last Date of Appeal:

6. Portions of the subject lands are affected by Ontario Regulation 151/06: Development, Interference with Wetlands and Alteration to Shorelines and Watercourses regulation. As such permits are required from the Grey Sauble Conservation Authority prior to site alterations and/or construction within the affected area.
7. All measurements in subdivision final plans must be presented in metric units.
8. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(59) of the Planning Act RSO 1990, as amended.
9. That permits are required from the Ministry of Transportation Ontario before any grading/construction commences. The owner should contact Corridor Management Officer, Corridor Management Section – Owen Sound (1450 Seventh Avenue, Owen Sound, Ontario N4K 2Z1 – Phone: 519 372-4045) to discuss MTO’s permit requirements and obtain the necessary applications.
10. The owner is to be advised that no further MTO permits will be made available until the terms of the indemnification agreement between MTO and The Neighbourhoods at Delphi Point Inc. signed and dated January 25, 2013 are satisfied.
11. Under the Public Transportation and Highway Improvement Act, Ministry of Transportation permits are required for all grading/construction located within 800 metres of the Highway 26 property limit. The Ministry of Transportation will require that all new residential structures be setback a minimum of 8.0 metres from the Highway 26 property limit. The Ministry of Transportation will require that all new commercial buildings and structure, both above and below ground, including stormwater management ponds/facilities, be setback a minimum of 14.0 metres from the Highway 26 property limit.